

RESOLUTION NO. 16-06

RESOLUTION OF THE TOWN OF ST. LEO TOWN COMMISSION APPROVING PUD #13-A, MINOR MODIFICATION #3 TO THE BENEDICTINE SISTERS OF FLORIDA PUD MASTER PLAN.

WHEREAS, a Planned Unit Development (PUD) application (PUD #13-A) was approved by the Town of St. Leo Town Commission on April 8, 2013 to construct a new monastery for the Benedictine Sisters of Florida pursuant to the LDC Article XII, Development Review Procedures And Development Standards For General Site Plans and Planned Unit Developments, and

WHEREAS, On September 9, 2013, Minor Modification #1 to PUD #13-A was approved to grant a variance to LDC, Chapter IX, Section 12.2. Landscape Buffers between Incompatible Uses, and

WHEREAS, On January 11, 2016, Minor Modification #2 to PUD #13-A was approved to construct a 3,794 square foot residence addition, and

WHEREAS, An application was filed by the Benedictine Sisters of Florida pursuant to the LDC Article XII, Development Review Procedures And Development Standards For General Site Plans and Planned Unit Developments to construct a 30 foot high bell tower, and

WHEREAS, a public meeting was held on March 14, 2016, before the Town of St. Leo Town Commission, which gave full and complete consideration to the recommendations of the staff and evidence presented at the meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF ST. LEO TOWN COMMISSION:

SECTION A. REQUEST

The Applicant is requesting construction of a 30 foot high bell tower with no variances to the Land Development Code (LDC).

SECTION B. FINDINGS AND CONCLUSIONS

No LDC variances are triggered by the proposed bell tower. It meets LDC setback and height limits within the Institutional zoning district.

Based on the facts and analysis presented in this report, it is recommended that the Town Commission APPROVE the building addition.

SECTION C. TOWN COMMISSION DECISION

Based on the facts and analysis presented, the Town Commission APPROVES the proposed 30 foot high bell tower with the following conditions:

1. Subject to conditions of approval for PUD #13-A and PUD #13-A, Minor Modifications #1 and #2.
2. The operation of the bell tower shall be governed by Chapter 18- Environment, Article V. Noise, Sec. 18-119.
- Radios, stereos, etc.

It shall be unlawful to use, operate or permit to be played, used or operated, any radio, television, musical instrument, stereo or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto, shall be deemed a violation of this article. The operation of any such instrument, stereo, machine or device between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

3. Any lighting of the bell tower shall be directed downward or upward so as to be directed away from adjacent residences.
4. That all other applicable state or federal permits be obtained before development commences and further that the issuance of the building permit does not in any way create any right on the part of the Applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the Town for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

If PUD #13-A Minor Modification #3 is approved, the "future canopy" and "future pool" shown on the PUD Plan will only require review/approval by the Town Planner. Any other modifications to the PUD will require review subject to LDC Sec. 10.10, Modifications to a PUD.

SECTION D. EXHIBIT A

The following documents are attached to this resolution and incorporated herein by reference:

Town Staff Report with exhibits, including the Applicant's application and supporting documents.

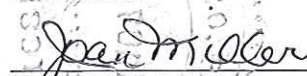
SECTION E. TOWN COMMISSION MOTION

The foregoing resolution was adopted by the St. Leo Town Commission vote as follows:

Richard H. Christmas, Mayor
James Hallett, O.S.B.
Gregory P. Smith
Donna DeWitt, O.S.B.
Curtis Dwyer

DULY PASSED AND ADOPTED this 14th day of March, 2016.

ATTEST:


Joan Miller, MMC, Town Clerk


Richard H. Christmas, Mayor

Approved as to form by:

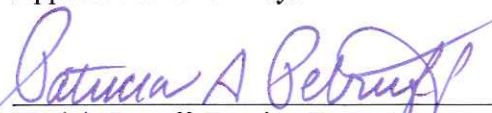

Patricia Petrucci, Esquire, Town Attorney

EXHIBIT A
Town Staff Report/Exhibits
Applicant's Application and Supporting Documents

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Applicant's Application and Supporting Documents



TOWN OF ST. LEO STAFF REPORT
Benedictine Sisters of Florida Planned Unit Development Master Plan
PUD #13-A, Minor Modification #3
Town Commission Public Hearing Meeting
March 14, 2016

Applicant: Holy Name Academy

Representative: Total Building Solutions, Inc.

Request: Approval of a minor modification to PUD #13-A to add a 30' high bell tower.

Location/Legal Description: Generally the southeast corner of State Road 52 and Wichers Road. The area is an approximate 9.9 acre site within Folio #01-25-20-0000-02300-0030 along the east side of Wichers Road (Exhibit A).

Land Use Designation: Institutional

Zoning: Institutional

PUD and PUD Modifications Historic Overview

On April 8, 2013, the Town Commission approved PUD #13-A, the construction of a new monastery for the Benedictine Sisters of Florida on an approximate 9.9 acre tract (Exhibit A). The monastery facility consists of two buildings (one-story in height) totaling approximately 13,900 square feet, including 20 bedrooms, central kitchen facility and other related facilities (96 seat chapel, library, recreation areas and administration offices) with 46 parking spaces. Other buildings were noted as "future" and will require review and approval at a future date pursuant to LDC Sec. 10.10, Modifications to a PUD.

As part of the PUD #13-A approval, variances were granted to not require a buffer wall along Wichers Road until such time as the adjacent property to the west that is zoned Residential were to be developed, permit 29 grass parking spaces and permit the stormwater pond to be located on the adjacent property, which is also owned by Holy Name Academy.

On September 9, 2013, the Town Commission approved PUD #13-A, Minor Modification #1, a variance to provide only 450 linear feet of buffer along Wichers Road, and to only plant canopy trees.

On January 11, 2016, the Town Commission approved Minor Modification #2, construction of a 3,794 square foot residence building with no variances to the Land Development Code (LDC).

PUD Modification #3

The Applicant is requesting to construct a 30'high bell tower (Exhibits A-C) with no variances to the Land Development Code (LDC). The Applicant's application submittal and supporting documents for the tower are provided in Appendix A.

Staff Analysis:

Pursuant to the LDC, Sec 74. Accessory Structures B.3.

Accessory structures, except fences, walls and docks, may be located in the side or rear yard setback area provided the accessory structure is not more than ten (10) feet in height and located with a minimum five (5) foot rear and/or side yard setback. Any accessory structure more than ten (10) feet in height shall only be located in the rear yard and must meet the zoning district rear and side yard setback and height requirements.

The proposed tower is set back 90+ feet from the east (rear) property boundary; 50 feet is required. The proposed bell tower is 30 feet high; the maximum height permitted in the Institutional zoning district is 50 feet. Bell towers are typical religious institution type accessory structures. The adjacent property to the east is vacant land zoned Agricultural and is owned by the Applicant. The closest residence to the bell tower is approximately 6,500 feet to the southwest.

Consistency of the proposed development with the goals, objectives and policies in the Comprehensive Plan.

Consistency was addressed in the original PUD approval; however, no building elevations were submitted which must be reviewed pursuant to LDC Sec. 10.9 PUD Development Guidelines review criteria #5:

Lots and Buildings: Buildings shall be uniform in architectural design theme and building materials.

The architectural design of the new bell tower is consistent with the overall design of the complex. The tower will be constructed of wood with steel brackets for support.

Recommendation

Based on the facts and analysis presented in this report, it is recommended that the Town Commission APPROVE the proposed bell tower with the following conditions:

1. Subject to conditions of approval for PUD #13-A and PUD #13-A, Minor Modifications #1 and #2.
2. The operation of the bell tower shall be governed by Chapter 18- Environment, Article V. Noise, Sec. 18-119. - Radios, stereos, etc.

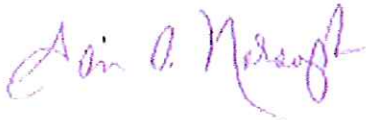
It shall be unlawful to use, operate or permit to be played, used or operated, any radio, television, musical instrument, stereo or other machine or device for the producing or

reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto, shall be deemed a violation of this article. The operation of any such instrument, stereo, machine or device between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

3. Any lighting of the bell tower shall be directed downward or upward so as to be directed away from adjacent residences.
4. That all other applicable state or federal permits be obtained before development commences and further that the issuance of the building permit does not in any way create any right on the part of the Applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the Town for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

If approved, PUD #13-A Minor Modification #3, the "future canopy" and "future pool" shown on the PUD Plan will only require review/approval by the Town Planner. Any other modifications to the PUD will require review subject to LDC Sec. 10.10, Modifications to a PUD.

This report has been prepared by:



Jan A. Norsoph, AICP
Engelhardt, Hammer & Associates, Inc.
Town of St. Leo Planning Consultant

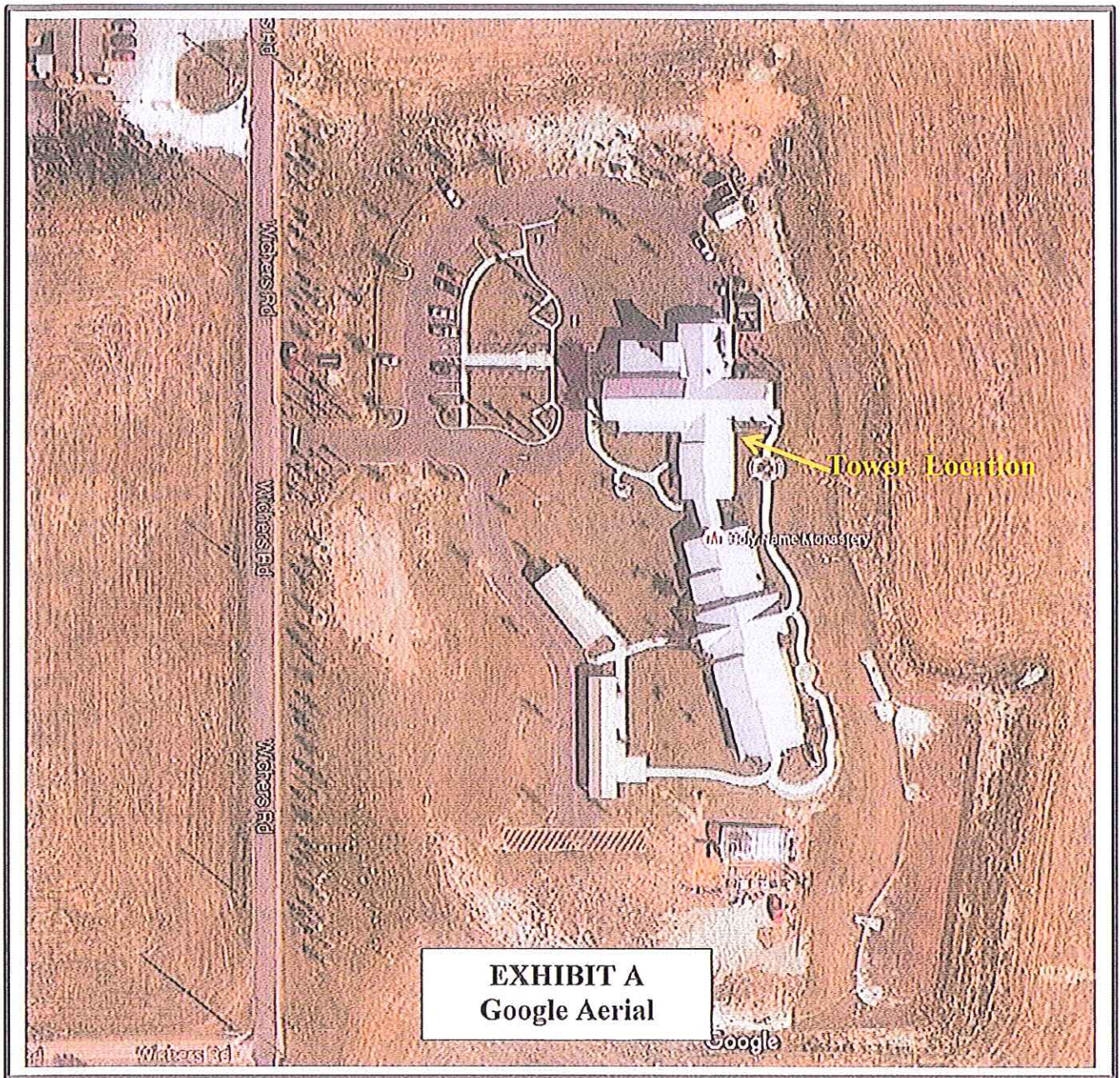
Engelhardt, Hammer & Associates reserves the right to update this report upon becoming aware of new or updated information.

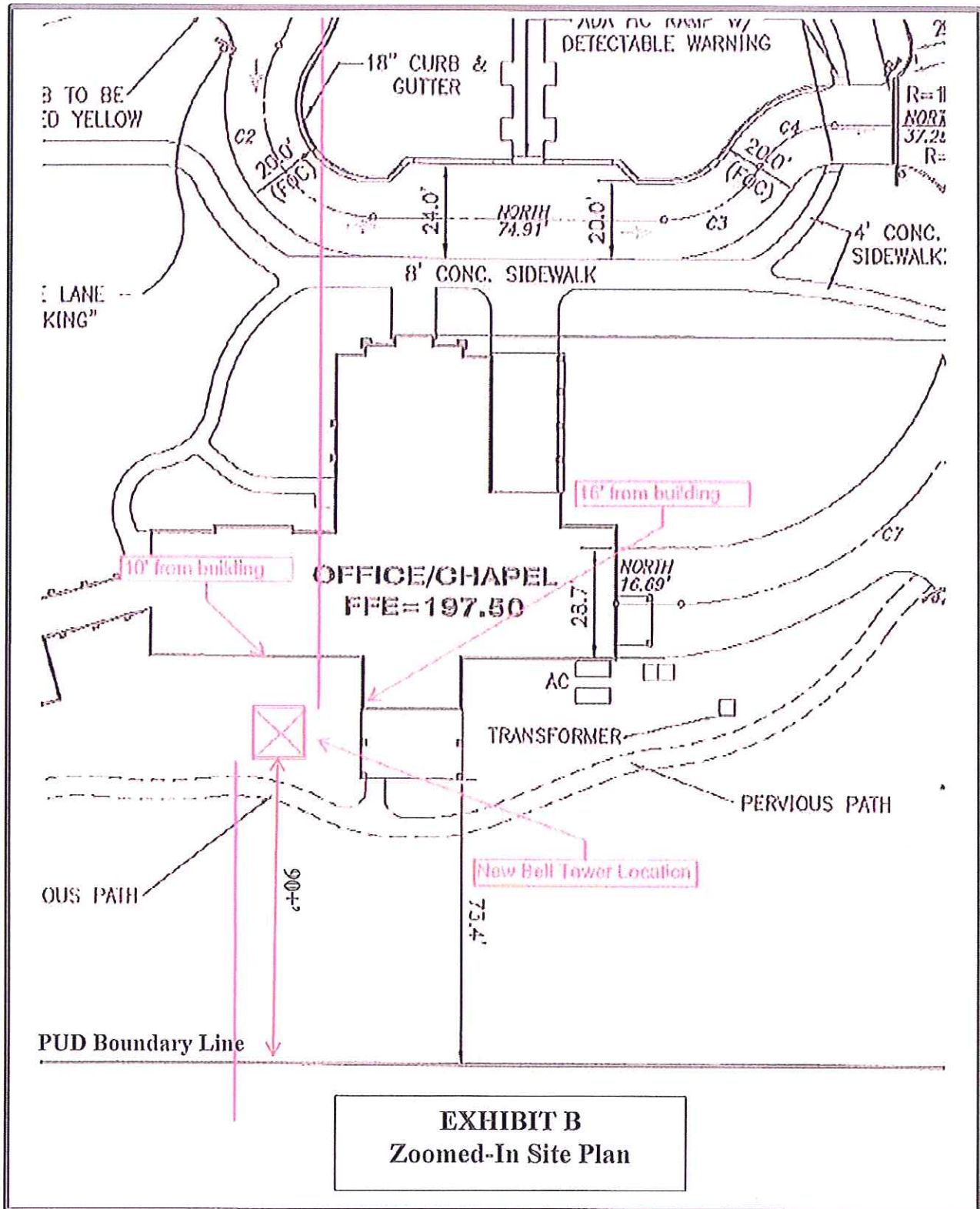
EXHIBITS

Exhibit A: Aerial

Exhibit B: Zoomed-In Site Plan

Exhibit C: Zoomed-In Tower Elevation





APPENDIX A
PUD Application
Full Size Site Plan and Tower Plan



Town of St. Leo

P.O. Box 2479, 34544 State Road 52
Saint Leo, Florida 33574

Phone: 352-588-2622

Fax: 352-588-3010

TownClerk@TownofStLeo-FL.gov

www.TownofStLeo-FL.gov

Planned Unit Development Review Application

Plans submitted 2/25/16

All applications are to be filled out completely and correctly, and submitted in person (no fax or deliveries) to the Town Clerk by the scheduled deadline date. The applicant, by filing this application agrees he/she will comply with all requirements of the Town of St. Leo Land Development Code (LDC). It is necessary for the applicant or the applicant's representative to be present at the public hearing meeting. No revisions to the application request will be processed later than 21 days prior to the scheduled Town Commission meeting. The public hearing will be conducted pursuant to Quasi-Judicial Proceedings.

IT IS INCUMBANT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE OR INCORRECT INFORMATION MAY INVALIDATE THE APPROVAL.

Applicant (title holder(s)) Holy Name Academy
Applicant's Address P.O. Box 2450, Saint Leo, FL 33574
Phone 352-588-8320 Fax 352-588-8319 Email roberta.bailey@saintleo.edu
Representative (Affidavit of Authorization /Ownership is required) Andy Watkins
Phone 813-484-6046 Fax _____ Email awatkins@agelectric.biz
Architect/Engineer/Planner/ Contractor Total Building Solutions, Larry Park
Address P.O. Box 959, Mango, FL 33550
Phone 813-781-7588 Fax 813-661-8897 Email lpark@4tbs.net
Date Property Title Obtained 1961 Parcel # 01-25-20-0000-02300-0030
Legal Description Generally the southeast corner of State Road 52 and Wichers Road;
approximate 9.9 acre site along the east side of Wichers Road
Property Address 12138 Wichers Road, Saint Leo, FL 33574
Request (Use Additional Sheets if Necessary) construct 30' high bell tower

SUBMITTAL REQUIRMENTS: Upon determination of completeness, two sets of the application and proposed PUD plans/building elevations are to be submitted. If trees are proposed to be removed, a tree survey for all trees over 3" d.b.h on site may be required if deemed applicable by staff.

FEE: The applicant will be billed a \$50.00 application fee and for the actual expenses related to the Town of St. Leo's Attorney, Planning Consultant and other Town of St. Leo staff review of the application. This may include, but is not limited to: cost of public notices, time spent reviewing the application for completeness, site inspection(s), preparing a report to the Town Commission, telephone conversations and/or written correspondence to the applicant and others, attending any meetings with the applicant and attending public hearings. The Town Commission may request an advanced partial payment based on an estimate of the Planning Consultant and Attorney fees and expenses.

Signature of Title Holder(s)/Owner(s) *AP Bailey*
Date \$50.00 Application Fee Paid _____ Associated Fee Total \$ _____ Date Associated Fees Paid _____

Updated 3/3/2016

Town of St. Leo, Florida
Affidavit of Ownership/Agent Authorization Affidavit

Property Owner (Company or Individual): Holy Name Academy
Mailing Address: P.O. Box 2450, Saint Leo, Florida 33574-2450
Officer's Name and Title: Sister Roberta Bailey, O.S.B. Prioress

Being first duly sworn depose(s) and say(s):

1. That I am (we are) the owner(s) and record title holder(s) of the following described property legal description, to wit: Generally, the southeast corner of State road 52 and Wichers Road. The area is an approximate 9.9 acre site within folio 01-25-20-0000-02300-0030 along east side of Wichers Road. (parcel ID#) 01-25-20-0000-02300-0030
2. That this property constitutes the property for which a request for construction of a 30' high bell tower
(Type of Application Approval Requested)
is being applied for to the Town of St. Leo, Florida;
3. That the undersigned has (have) appointed and does (do) appoint Andy Watkins of A & G Electric and Larry Park of Total Building Solutions as agent(s) to execute any petitions or other documents necessary to affect such petition; and request that you accept my agent(s) signature as representing my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Town of St. Leo, Florida to consider and act on the foregoing request;
5. That I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Sister Roberta Bailey, Prioress
Owner's Signature/Print/Title

Owner's Signature/Print Title

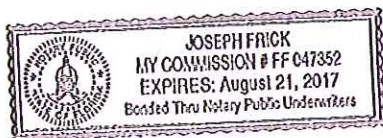
State of Florida
County of Pasco

The foregoing instrument was sworn to (or affirmed) and subscribed before me this (date) 3/9/16 by (person swearing or affirming) Sister Roberta Bailey, who is personally known to me/ has produced identification (type of identification produced) _____

Joseph Frick
Notary (print name)

[Signature]
(Signature)

Notary Seal Stamp with Commission Number and Expiration Date: 8/21/2017



12/12/2013



WICHERS ROAD
 Visioned Right-of-Way
 24' WHITE CURB LANE

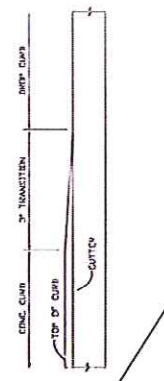
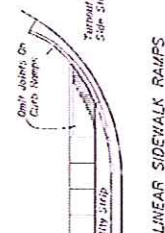
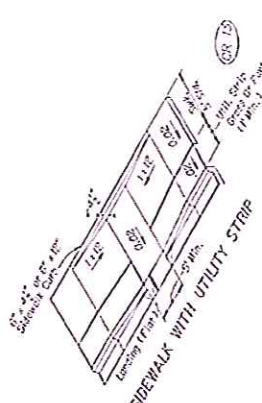
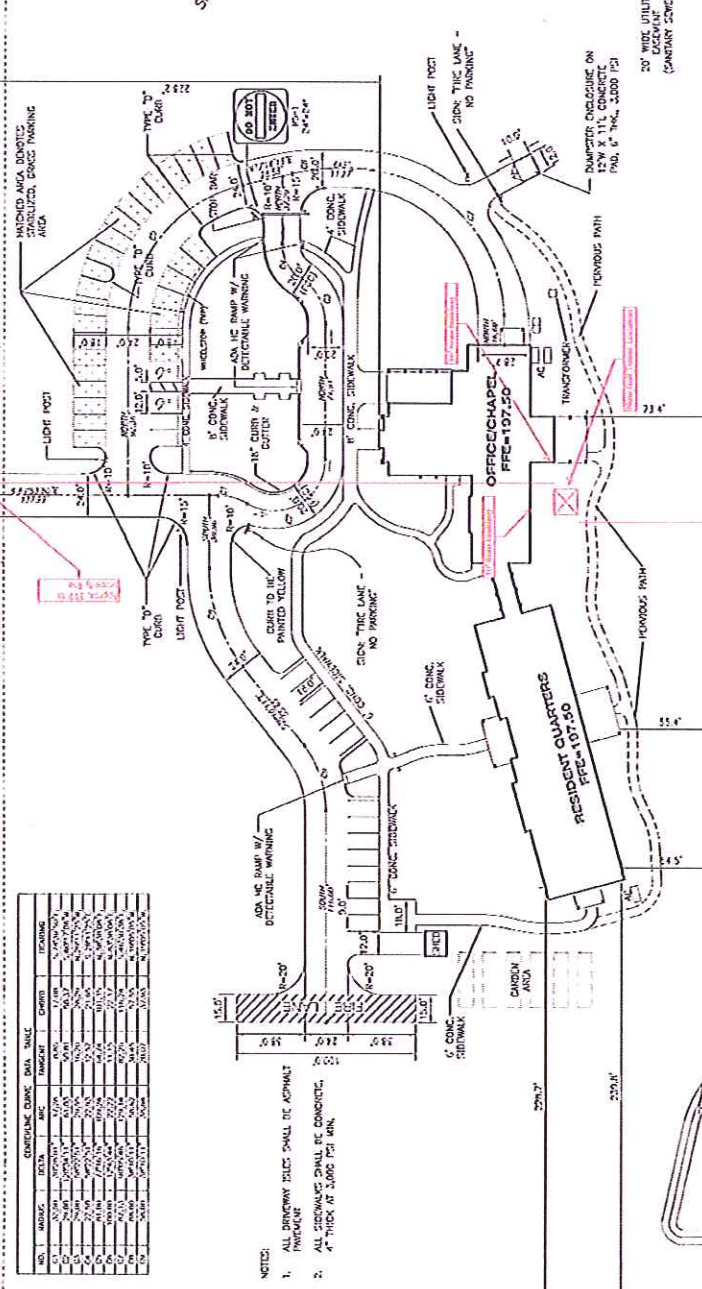


EXISTING ASPHALT ROADWAY
 WITH WHITE

24' LANDSCAPE BUFFER
 BY UTILITY EASEMENT / LANDSCAPE BUFFER

NO.	DATE	DESCRIPTION	BY	CHKD
1	10/10/17	ISSUED FOR PERMIT	W. J. HARRIS	W. J. HARRIS
2	10/10/17	REVISION: 1.0	W. J. HARRIS	W. J. HARRIS
3	10/10/17	REVISION: 2.0	W. J. HARRIS	W. J. HARRIS
4	10/10/17	REVISION: 3.0	W. J. HARRIS	W. J. HARRIS
5	10/10/17	REVISION: 4.0	W. J. HARRIS	W. J. HARRIS
6	10/10/17	REVISION: 5.0	W. J. HARRIS	W. J. HARRIS
7	10/10/17	REVISION: 6.0	W. J. HARRIS	W. J. HARRIS
8	10/10/17	REVISION: 7.0	W. J. HARRIS	W. J. HARRIS
9	10/10/17	REVISION: 8.0	W. J. HARRIS	W. J. HARRIS
10	10/10/17	REVISION: 9.0	W. J. HARRIS	W. J. HARRIS

- NOTES:
1. ALL DRIVEWAY ISLES SHALL BE ASPHALT PAVED.
 2. ALL DRIVEWAYS SHALL BE CONCRETE, 4" THICK AT 3000 PSI MIN.



NOTE: ALL PAVING MATERIALS SHALL BE 100% RECYCLED. ALL PAVING MATERIALS SHALL BE 100% RECYCLED. ALL PAVING MATERIALS SHALL BE 100% RECYCLED.

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SUKA ENGINEERING
 12133 W. 12th Ave.
 Suite 100
 Golden, CO 80401
 Phone: 303.440.1234
 Fax: 303.440.1235
 Email: info@sukaeng.com

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GENERAL NOTES:

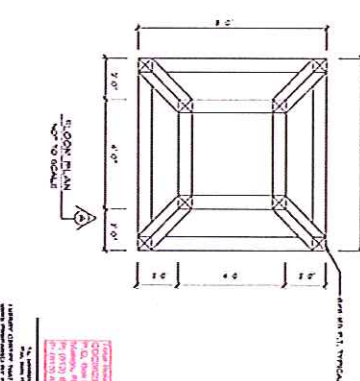
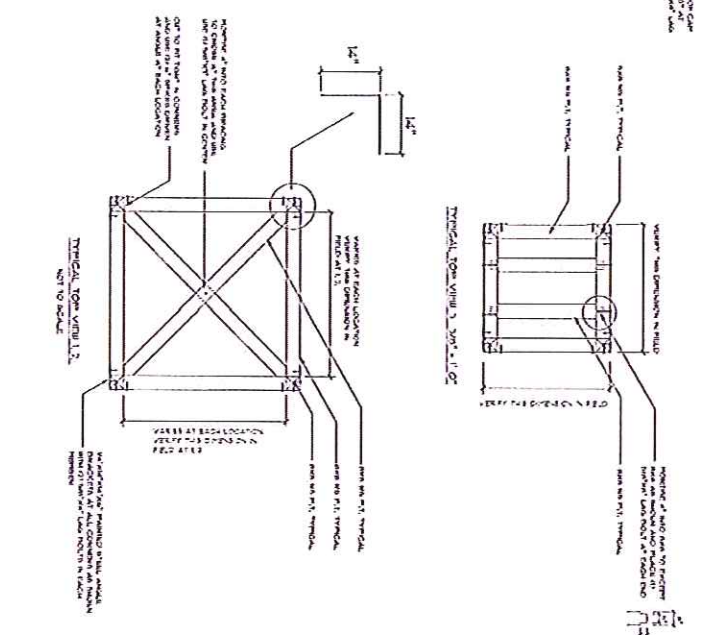
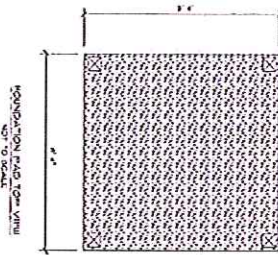
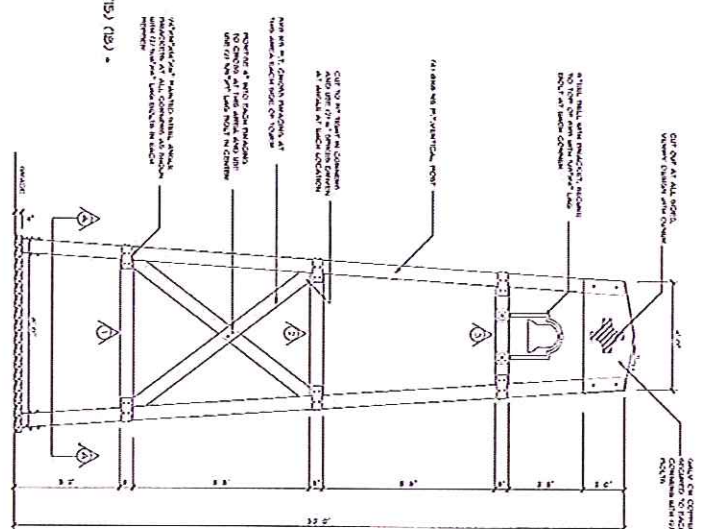
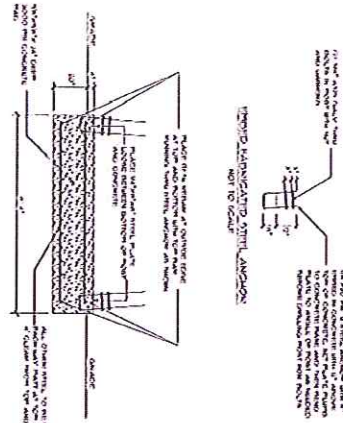
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 2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.
 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 4. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOUNDATION CODES AND SPECIFICATIONS.
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 $11,000 / 150 = 13 \text{ ft}^3 \text{ CONC}$
 $113 / 64 = 1.77' \text{ THICK}$



1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.

3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

WOOD BELL TOWER DRAWINGS FOR
 HOLY NAME MONASTERY
 SAINT LEO, FLORIDA

DRAWN BY: RJ
 DATE: 0-3-3
 JOB NO. 14-4410

REVISIONS
 1. 0-3-3
 2. 0-3-3
 3. 0-3-3

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